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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/643,692

08/18/2003

Seiji Hidaka

M1071.1850/P1850

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7590

07/15/2005

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EXAMINER

SUMMONS, BARBARA

ART UNIT

PAPER NUMBER

2817

DATE MAILED: 07/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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| EXAMINER |
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| ART UNIT | PAPER |
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20050711

DATE MAILED:

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Commissioner for Patents

***Foreign Priority***

1. Receipt is acknowledged of the certified copy of Japanese application no. 2001-384879 submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file. Priority was claimed based on this Japanese application in the oath/declaration received August 18, 2003, and because the conditions under 35 U.S.C. 119(a)-(d) have been met, foreign priority based on this Japanese application has been granted.
  
2. The foreign priority claim filed on June 16, 2005, based upon Japanese application nos. 2002-334226 and 2002-363359, was not entered because the foreign priority claim was not filed during the time period set forth in 37 CFR 1.55(a)(1). For original applications filed under 35 U.S.C. 111(a) (other than a design application) on or after November 29, 2000, the time period is during the pendency of the application and within the later of four months from the actual filing date of the application or sixteen months from the filing date of the prior foreign application. For applications that have entered national stage from an international application filed on or after November 29, 2000, after compliance with 35 U.S.C. 371, the claim for priority must be made during the pendency of the application and within the time limit set forth in the PCT and the Regulations under the PCT. See 37 CFR 1.55(a)(1)(ii). If applicant desires priority under 35 U.S.C. 119(a)-(d), (f) or 365(a) based upon a prior foreign application, applicant must file a petition for an unintentionally delayed priority claim (37 CFR 1.55(c)). The petition must be accompanied by (1) the claim (i.e., the claim required by 35 U.S.C. 119(a)-(d) and (f) and 37 CFR 1.55) for priority to the prior foreign application,

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unless previously submitted; (2) a surcharge under 37 CFR 1.17(t); and (3) a statement that the entire delay between the date the claim was due under 37 CFR 1.55(a)(1) and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional. The petition should be addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

3. It should be noted that because the issue fee has been paid, in order for the patent to include the priority claim to the additional two Japanese applications just added to the priority claim, besides the petition, etc. listed in the immediately preceding paragraph, a certificate of correction would also be required [see 37 CFR 1.55 (2)] {see also MPEP §§ 201.13, 210.14 and 201.14(a)}.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara Summons whose telephone number is (571) 272-1771. The examiner can normally be reached on M-Th, M-Fr.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bob Pascal can be reached on (571) 271-1769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bs  
July 11, 2005



**BARBARA SUMMONS**  
**PRIMARY EXAMINER**